

REMARKS

Claims 1-26 are pending in the present application. In the above amendments, claims 18, 20 and 23 have been amended.

Claims 18 and 20 have been amended to break down acronyms.

In the 11/26/2004 Office Action, the Examiner rejected claims 23-24 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

The Examiner rejected claims 1-20 and 22-25 under 35 U.S.C. § 103(a) as being unpatentable over Holmes (U.S. Patent No. 6,230,009) in view of Silver (U.S. Patent No. 6,560,457) and Stephens (U.S. Patent No. 6,600,920).

The Examiner rejected claims 21 and 26 under 35 U.S.C. § 103(a) as being unpatentable over Holmes (U.S. Patent No. 6,230,009) in view of Silver (U.S. Patent No. 6,560,457) and Stephens (U.S. Patent No. 6,600,920) and Chevillat (U.S. Patent No. 6,181,683).

Claim Rejections under 35 U.S.C. § 112

The Examiner rejected claims 23-24 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In order to overcome the rejections, claim 23 has been amended such that it corrects any antecedent basis problem. Accordingly, the rejections to claims 23-24 should be withdrawn.

Claim Rejections under 35 U.S.C. § 103

Next, the Examiner rejected claims 1-20 and 22-25 under 35 U.S.C. § 103(a) as being unpatentable over Holmes (U.S. Patent No. 6,230,009) in view of Silver (U.S. Patent No. 6,560,457) and Stephens (U.S. Patent No. 6,600,920). To establish a prima facie case of obviousness three basic criteria must be met. First, there must be some suggestion or motivation of, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must

be a reasonable expectation of success. Finally, the prior art reference(s) must teach or suggest all the claim limitations.

The rejection contends that Stephens discloses a system comprising a mobile transmitting a suspend message via PCCH to the SGSN in order to notify the packet network to stop transmitting encapsulating messages to the mobile. With respect, the Examiner's argument is traversed. The message in Stephens is not to stop encapsulation of a radio network but instead to suspend a message to the packet network. This is quite different than the present specification which describes a first radio network that continues to send the encapsulated message until the first radio network receives a message to stop encapsulation.

Applicants thus respectfully submit that claims 1, 20, and 22 are not rendered obvious by the Holmes Patent when considered alone or in combination with Silver and Stephens. Claims 2-19 and 23-25 depend from claims 1 and 22 and therefore include all the limitations of those independent claims. Since the Holmes, Silver, and Stephens references do not render claims 1-20 and 22-25 unpatentable, Applicants respectfully submit that the rejections thereof be withdrawn by the Examiner.

Finally, the Examiner rejected claims 21 and 26 under 35 U.S.C. § 103(a) as being unpatentable over Holmes (U.S. Patent No. 6,230,009) in view of Silver (U.S. Patent No. 6,560,457) and Stephens (U.S. Patent No. 6,600,920) and Chevillat (U.S. Patent No. 6,181,683). As mentioned above, the message in Stephens is not to stop encapsulation of a radio network but instead to suspend a message to the packet network. This is quite different than the present specification which describes a first radio network that continues to send the encapsulated message until the first radio network receives a message to stop encapsulation.

Applicants thus respectfully submit that claims 21 and 26 are not rendered obvious by the Holmes Patent when considered alone or in combination with Silver, Stephens, and Chevillat. Since the Holmes, Silver, Stephens, and Chevillat references do not render claims 21 and 26

unpatentable, Applicants respectfully submit that the rejections thereof be withdrawn by the Examiner.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicants submit that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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